

REMARKS

Claims 1-21, 23-43, and 62-67 remain for consideration in this application. Claims 1, 62 and 63 are independent, with claims 1 and 63 being drawn to tackifier resins *per se* and claim 62 is directed to a tackifier made by a claimed process.

An important feature of the present invention is the provision of tackifier resins having low monomer concentrations of below about 600 ppm and more preferably less than about 300 ppm. As set forth in the disclosure, high monomer contents in tackifier resins create a number of issues, including skin sensitivity with medical adhesives, and undue cloudiness and consequent fogging of finished adhesives.

In one aspect of the invention, improved methods are disclosed for treating tackifier compositions in order to substantially reduce the residual monomer content thereof. In the present case, however, the tackifier resins themselves are being claimed and all such claims recite the monomer content is less than about 600 ppm. Support for this limitation is found in the specification and, e.g. now canceled claim 22.

In the last Action, the claims were rejected on the basis of a single reference, namely the patent to Whitmire. This patent is not apropos to the presently claimed invention in that it does not teach or suggest a tackifier composition having the claimed low residual monomer content. Furthermore, and very importantly, the Whitmire reference teaches emulsified products wherein the water content is not removed during processing. As a consequence, the entire residual monomer content in Whitmire's products remain in place and are not in any way removed or eliminated. In short, Whitmire simply does not come to grips with the present invention as claimed.

The present disclosure illustrates conventional tackifier resins and their monomer contents, and compares these with the resins of the present invention. For example, Table 4 (p. 27) of the instant disclosure sets forth residual monomer levels in a series of commercially obtained tackifier resins, and in all instances the residual monomer concentrations were well beyond that presently claimed, and ranged from about 1200-3200 ppm. This is to be contrasted with the examples of the present invention having very low monomer levels.

In as much as Whitmire discloses nothing more than the conventional type of tackifier resin with no steps being carried out to lower the normal residual monomer contents thereof, it is submitted that the reference cannot bar patentability of the present claims. Stated otherwise, the Whitmire reference is totally silent regarding residual monomer content, and teaches nothing which would lower this content. Thus, there is no plausible basis for finding anticipation, and no *prima facie* case of obviousness can be predicated on this reference.

Applicants and their attorneys would like to thank the Examiner for his time and courtesies during the personal interview held in connection with this application. At that interview, the Whitmire reference was discussed in detail and it was emphasized to the Examiner, as set forth above, that Whitmire did not teach or suggest a tackifer resin having the low monomer content now claimed.

Applicants respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460.

A two-month Petition for Extension of Time accompanies this Amendment.

Respectfully submitted,

Eastman Chemical Company
P.O. Box 511
Kingsport, Tennessee 37662
Phone: (423) 229-6204
FAX: (423) 229-1239

Polly C. Owen
Polly C. Owen
Registration No. 44,991

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Date

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Jo Ann Elam
Jo Ann Elam

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Date